

## FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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Date of Deposit

Form PTO-1380-MOD (REV 10-96)		U. S. Department of Commerce Patent and Trademark Office	ATTORNEY'S DOCKET NUMBER 4-32999A
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/549,977
INTERNATIONAL APPLICATION NO. PCT/EP04/003182	INTERNATIONAL FILING DATE 25 March 2004 (25.03.04)	PRIORITY DATE CLAIMED 26 March 2003 (26.03.03)	
TITLE OF INVENTION CYCLIC AMP RESPONSE ELEMENT ACTIVATOR PROTEINS AND USES RELATED THERETO			
APPLICANT(S) FOR DO/EO/US IOURGENKO ET AL.			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau. (See Form PCT/IB/308)
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included.**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Additional Claim Fee of \$200

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/549,977</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP04/003182</b>		ATTORNEY'S DOCKET NUMBER <b>4-32999A</b>	
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The following fees are submitted:				<b>CALCULATIONS</b> PTO USE ONLY	
21.	Basic national fee. ....	\$			
22.	Examination Fee				
	If International preliminary examination report was prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....	\$			
	All other situations. ....	\$			
23.	Search fee				
	If Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. ....	\$			
	If International Search Report was prepared and provided to the Office. ...	\$			
	All other situations. .... recordation of assignment .....	\$40.00			
<b>TOTAL OF 21, 22 AND 23 =</b>				<b>\$ 40.00</b>	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round <b>up</b> to a whole number)	RATE		
- 100 =	/50 =		X \$ 250	\$	
Surcharge of <b>\$130</b> for furnishing the oath of declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		- 20 =		X \$ 50	\$
Independent claims		13 (12 prev. pd.) - 3 =	1	X \$ 200	\$ 200
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 360	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 130</b>	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				<b>\$ 130</b>	
Processing fee of <b>\$130</b> for furnishing the English translation later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 130</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40</b> per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 370</b>	
				Amount to be: refunded	\$
				charged	\$

07/06/2006 GFREY1 00000144 190134 10549977

01 FC:167 130.00 DA

02 FC:164 200.00 DA

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

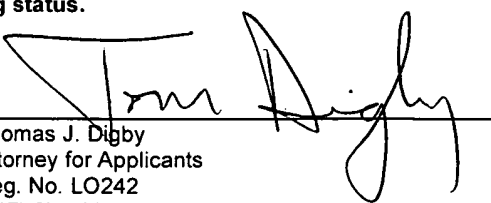
b. ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$370 to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

Send all correspondence to the address associated with Customer No. 001095, which is currently:

Novartis  
Corporate Intellectual Property  
One Health Plaza, Building 104  
East Hanover, NJ 07936-1080

  
 Thomas J. Digby  
 Attorney for Applicants  
 Reg. No. LO242  
 (617) 871-3224



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,977	Vadim Iourgenko	4-32999A

1095  
 NOVARTIS  
 CORPORATE INTELLECTUAL PROPERTY  
 ONE HEALTH PLAZA 104/3  
 EAST HANOVER, NJ 07936-1080

INTERNATIONAL APPLICATION NO.	
PCT/EP04/03182	
I.A. FILING DATE	PRIORITY DATE
03/25/2004	

CONFIRMATION NO. 2228

## 371 FORMALITIES LETTER



\*OC000000018655439\*

Date Mailed: 05/02/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/20/2005
- Copy of the International Search Report filed on 09/20/2005
- Preliminary Amendments filed on 09/20/2005
- Biochemical Sequence Diskette filed on 09/20/2005
- Biochemical Sequence Listing filed on 09/20/2005
- U.S. Basic National Fees filed on 09/20/2005
- Priority Documents filed on 09/20/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$200** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$200** for a Large Entity:

- Total additional claim fee(s) for this application is **\$ 200**

- \$200 for 10 independent claims over 3.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,977	PCT/EP04/03182	4-32999A

FORM PCT/DO/EO/905 (371 Formalities Notice)